

166. They shall make a list of all the free, able-bodied male inhabitants, and of all the able-bodied male slaves, above the age of eighteen years and under the age of fifty years in their respective districts, and shall justly and impartially call for and require the labor of all and singular the persons aforesaid, alternately and in such convenient numbers and classes as to place the burden of their services equally upon all; *Provided*, that the said persons shall not be called out by the said supervisors during the season of wheat harvest, nor in such manner as to take more than half the number of laborers belonging to one family in which there are more than one laborer at the same time.

167. As often as the said supervisors or their deputies shall deem it necessary to call upon the said inhabitants for their labor upon the roads, they shall summon the number and class which they have previously arranged, giving each person, and the master, or overseer of each servant or slave so to be summoned, two days' notice at least, of the time and place appointed for their labor, except in such extraordinary cases as may require shorter notice.

168. Every person so summoned shall attend in person or provide a sufficient substitute, or pay to the supervisor, his agent or deputy, the sum of seventy-five cents for every day in lieu of his day's labor.

169. If any person being summoned shall neglect or refuse to attend or provide a substitute, or to pay on demand by the supervisor, his agent or deputy, the sum aforesaid, he shall be deemed guilty of a misdemeanor, and the supervisors shall keep a list of all delinquents and report the same to a justice of the peace of the district over which he is supervisor.

170. The justice to whom such list shall be reported, shall issue his warrant in the name of the State, for every free male person so appearing to be delinquent, and in case of a slave, for the master, overseer or employer of such slave, to be directed to some constable of the district, directing him to bring said delinquent person, master, overseer or employer before him for trial.

171. If upon the trial it shall appear that the said delinquent free person, or the owner, master or overseer of the delinquent slave, failed to appear at the time and place appointed by the supervisor, his agent or deputy, with proper implements for